

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	No. 18-mc-56-LM
)	
MICHELLE RICCO-JONAS,)	
)	
Respondent.)	
_____)	

DECLARATION

Pursuant to the authority of 28 U.S.C. § 1746, I make the following declaration:

1. I, Gabrielle Stern, am a Diversion Investigator employed by the United States Drug Enforcement Administration (DEA), located at the Manchester District Office, 324 South River Road, Bedford, New Hampshire. I make this declaration based on personal knowledge or information provided to me in the course of my employment with the DEA.

2. In my capacity as a DEA Diversion Investigator, I received information from the New Hampshire Board of Pharmacy regarding the potential diversion of large amounts of opiates through pharmacies throughout New England, including New Hampshire. Specifically, an individual is reported to being filling fraudulent prescriptions for Schedule II control substances which he receives from out-of-state practitioners in New Hampshire.

3. In furtherance of the above investigation and in accordance with 21 U.S.C. § 876, on June 11, 2018, Diversion Program Manager Claire M. Brennan issued an administrative subpoena, Form DEA-79, to Michelle Ricco-Jonas, to give testimony and provide documents as described in subpoena. See DN 1-2.

4. In accordance with 21 U.S.C. § 876(b), on June 13, 2018, I served a copy of the administrative subpoena described in paragraph 3 above on Michelle Ricco-Jonas by leaving a

copy with the New Hampshire Attorney General's Office, who had agreed to accept service of the subpoena.

5. Michelle Ricco-Jonas has objected to the subpoena. Her failure to comply with the subpoena continues to the date of this Declaration.

6. The books, papers, records or other data sought by the subpoena are not already in the possession of the DEA.

7. All administrative steps required by the 21 U.S.C. § 876 for the issuance of an DEA administrative subpoena have been taken.

8. It is necessary to obtain the testimony and to examine the records or other data maintained by the New Hampshire Prescription Drug Monitoring Program sought by the subpoena in order to determine the validity of the allegations against the individual who is the subject of my investigation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of September, 2018.

/s/ Gabrielle Stern
Gabrielle Stern
Division Investigator
DEA